

Docket no. JCT-002

Serial No. 10/084,523

REMARKS

Claims 1-22 remain pending in the present application. Claims 1-10 stand withdrawn from consideration pursuant to a restriction requirement issued by the Examiner. Claims 11-22 stand rejected on various grounds, discussed below.

Applicant would like to thank the Examiner for the courtesy of having extended to Applicant the opportunity for a telephone discussion of the following issues, which was accomplished essentially via voice mail messages.

Rejection for New Matter

Applicant requests reconsideration of the Examiner's determination set forth in the Advisory Action that the amendment to claim 11 constitutes new matter. Basis for the amendment can be found at page 3, lines 7-9 of the specification, wherein I state:

A further benefit is obtained by increasing the supply of medical materials, in this case umbilical cord blood *containing stem cells*, which are available for medical research or even treatment. (Emphasis added).

This language is identical to that of the amendment submitted in Applicant's last response. Accordingly, the previously submitted amendment cannot be considered to be new matter, as the inserted phrase is clearly supported in the specification, as originally filed.

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Applicant requests that the Examiner withdraw the rejection as to new matter. Applicant submits herewith a Notice of Appeal as to the remaining rejections.

Respectfully submitted,

9/22/04
Date


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